

Ref. 2507-1074

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

MELCHI Carmelo Francesco ET AL EXAMINER:

APPLICATION SERIAL NO. 10/553,996
INTERNATIONAL APPLICATION NO. PCT/IT04/00217 FILED: APRIL
15, 2004

FILED October 21, 2005 PRIORITY DATE: APRIL
22, 2003

FOR: AUTOMATIC DETECTION OF SKIN LESIONS.

DECLARATION

TO THE COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

We the undersigned, Maurizio Sarpi and Antonio Fezzardi, Italian citizens, both residing in view of our profession at Via Collina 36, Rome, Italy, do hereby declare the following in response to the Notification of Missing Requirements Under 35 U.S.C. 371 issued on October 2, 2006 in relation to the above identified U.S. patent application.

We are the patent attorneys in charge of all the herein below mentioned patent applications designating Mr. Carmelo Francesco MELCHI and Mr. Oscar BELLERINO as Inventors.

I, Antonio Fezzardi, met and spoke on the phone several times with Dr. Carmelo Francesco MELCHI when drafting the basic application which was then filed at the Italian Patent Office on April 22, 2003 with No. RM2003A000184 (priority of which was claimed with PCT/IT2004/000217). Attached herewith

please find copies of **three emails dated February 14, 2003, April 3, 2003 and April 10, 2003 including English translations thereof**, proving said exchange of information.

As it can be seen from the Request, two entities are named as Applicants for all designated states, except US, namely PROVINCIA ITALIANA DELLA CONGREGAZIONE DEI FIGLI DELL'IMMACOLATA CONCEZIONE - ISTITUTO DERMOPATICO DELL'IMMACOLATA, where Dr. Carmelo Francesco MELCHI was employed, and TECNOTEAM Srl, where Mr. Oscar BELLERINO was employed.

On April 15, 2004 the PCT application No. PCT/IT2004/000217 was filed and on April 1, 2004, or few days before, Mr. Carmelo Francesco MELCHI had signed the **attached PCT Power of Attorney** as Inventor/Applicant (for US only) as mentioned in the **accompanying letter dated April 15, 2004** signed by me, Maurizio Sarpi, **to the Italian Patent Office as per copy attached together with the first two pages of the PCT Request.**

The International Preliminary Examination was then requested for corresponding PCT/IT2004/000184 and again I, Antonio Fezzardi, contacted the Inventors, among which Dr. Melchi, in order to respond to the written opinion. Attached herewith please find copies of **three emails dated August 13, 2004 and November 15 and 18, 2004 including English translations thereof**, proving amendments to the application in agreement with the Inventors.

On October 7, 2005 I, Maurizio Sarpi, forwarded to the Legal Office of Provincia Italiana della Congregazione dei Figli dell'Immacolata Concezione - Istituto Dermopatico

dell'Immacolata (to the attention of Dr. Antonello SACCO) the Combined Declaration and Power of Attorney and The Assignment Deed requesting the execution of said documents by Mr. Melchi Francesco as Inventor (**copy of said letter dated 10.07.2005 together with the English translation thereof is enclosed herewith**).

The Legal Office, in the person of Dr. Antonello Sacco, and the Technology Transfer Office, in the person of Dr. Elisabetta Agostini, invited several times by phone Mr. Melchi for execution of the above documents.

In the meantime the other inventor Mr. BELLERINO Oscar duly undersigned the documents on October 21, 2005 (**copy of the Assignment Deed and Combined declaration and Power of Attorney duly undersigned and dated by Mr. Bellerino Oscar are enclosed herewith**).

Dr Elisabetta Agostini again invited Mr. Melchi by letter dated November 28, 2005 (**copy of said letter dated 11.28.2005 together with the English Translation thereof is enclosed herewith**).

Dr. Melchi Francesco never gave any response to the above mentioned letter.

During the meeting dated October 10, 2006, Dr Elisabetta Agostini and Dr. Antonello Sacco again asked Mr. Francesco Melchi to undersign the required documents and once more he refused; the parties have not as yet found an agreement on the economic compensation of Melchi's rights as Inventor.

On 18 October 2006, Dr. Elisabetta Agostini hand-delivered to Mr. Francesco Melchi, who countersigned the letter as receipt thereof, a letter where she newly asked Mr. Francesco Melchi to undersign the documents. This letter makes reference to the October 10, 2006 meeting.

However, he again ignored the request **(copy of said letter dated 10.18.2006 together with the English translation thereof in enclosed herewith)**.

On November 7, 2006 Dr. Elisabetta Agostini sent a Registered mail to Mr. Melchi at Via della Balduina, 120 I-00136 ROME including once again a copy of the filing papers (Transmittal Letter To US Designated/Elected Office Concerning A Filing Under 35U.S.C. 371, Application Data Sheet, Information Disclosure Statement, Preliminary Amendments, publication pamphlet of the corresponding PCT application N. WO2004/095372) together with the Combined Declaration and Power of Attorney and the Assignment to be undersigned **(copy of said letter dated 11.07.2006 together with the English Translation and registered mail Receipt Acknowledgement thereof are enclosed herewith)**.

Finally, it is clear from the Receipt Acknowledgement that Dr. Carmelo Francesco MELCHI presently lives at the mentioned address since, otherwise, the person signing for Receipt Acknowledgement would have not accepted the Registered Mail delivery, according to the Italian Post Office mail practice.

In view of the above, We believe that proof of a bona fide attempt was made and any diligent effort was put forward to present a copy of the application papers

(specification, including claims, drawings, and declaration) to non-signing Inventor Mr. Carmelo Francesco MELCHI for execution should be recognized and to this purpose We respectfully request that the application may proceed in the name of the other Inventor, Mr. Oscar BELLERINO on behalf of himself and the non-signing Inventor.

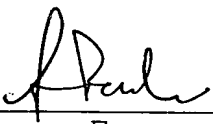
The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Further declarant saith not.



Maurizio Sarpi - Signature
February 6, 2007

Date



Antonio Fezzardi - Signature
February 6, 2007

Date

Studio Ferrario

Da: "Oscar Bellerino" <oscarbellerino@tnteam.it>
A: "Antonio Fezzardi" <info@studioferrario.it> ---
Data invio: venerdì 14 febbraio 2003 16.59
Allega: Bozza1Rep.doc
Oggetto: Revisione Bozza1

Egr. Ing. Fezzardi,

Le invio la prima revisione della bozza da Lei inviata per mail.

Un lavoro notevole che abbiamo attentamente letto per aiutarla a definire bene i contenuti.

Abbiamo giallettato i numeri che si riferiscono a cose note, come la bibliografia, che non abbiamo allegato per non appesantire inutilmente questo documento preliminare.

Non abbiamo allegato anche disegni e sviluppi del Flow perchè, come concordato, è opportuno parlarne con Lei per definire bene cosa come sia utile farlo.

La descrizione del robot da Lei usata è molto datata, e risale probabilmente al progetto originale; l'abbiamo pertanto cancellata e riteniamo utile quella inoltrata in Giappone per avere dalla Nikon l'SDK Kits, integrata dai docomrnti finali descrittivi che abbiamo presentato al MIUR per le relazioni di progetto.

Essendo documentazione disponibile, riteniamo opportuno che Lei le veda e decida quali e come possano essere più utili.

Tutte le variazioni concettuali sono state apportate nella descrizione preliminare e nelle successive rivendicazioni.

La chiamiamo Lunedì 17/02, magari nel tardo pomeriggio, per darle il tempo di leggere il documento e poter decidere le attività successive.

Ringraziando Lei ed il Dott. Salpi per l'interessamento di cui abbiamo notizia attraverso i frequenti colloqui che abbiamo con l'Avv. Michele Gallina, cordialmente La saluto anche a nome del Dr. C. F. Melchi.

Oscar Bellerino

ENGLISH TRANSLATION

From Oscar Bellerino

To Antonio Fezzardi / Studio Ferrario

14 February 2003

Enclosure: Draft1Rep

Re.: Draft 1 revision

Dear Mr. Fezzardi,

I'm sending you the first revision of the draft you sent by mail.

A great work which we have thoroughly read to help you to better define contents thereof.

OMISSIS

Thanking you and Mr. Sarpi for your co-operation of which we are aware of thanks to the various conversations with Mr. Michele Gallina (Provincia Italiana... 's legal dept), I'm sending you best wishes also on behalf of Dr. C.F. Melchi.

Oscar Bellerino

14/02/03

Studio Ferrario

Da: "Studio Ferrario" <info@studioferrario.it>
 A: "Oscar Bellerino" <oscarbellerino@tnteam.it> - -
 Data invio: giovedì 3 aprile 2003 9.40
 Allega: 4481finale.pdf
 Oggetto: testo "finale"

Egr. Sig. Bellerino,
 in allegato le invio il testo "definitivo" per una sua revisione prima del deposito, con la preghiera di volerlo inoltrare, se necessario, al Dott. Melchi.

Non appena avrò tutti i disegni inserirò l'elenco nel testo ve li farò avere.

Restando in attesa di vostri commenti, porgiamo cordiali saluti

A. Fezzardi

STUDIO FERRARIO

Via Collina, 36 - 00187 - Roma (IT)

Tel: +39 06 4888051 - Fax: +39 06 4746149

LE INFORMAZIONI CONTENUTE IN QUESTA E-MAIL E NEGLI ALLEGATI SONO DA CONSIDERARSI PERSONALI E RISERVATE AL DESTINATARIO E SONO TUTELATE DAL SEGRETO PROFESSIONALE E DALLA VIGENTE LEGGE SULLA RISERVATEZZA DEI DATI PERSONALI.

The information in this email and in the attachments are confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

ENGLISH TRANSLATION

From Studio Ferrario
 To Oscar Bellerino
 3 April 2003

Enclosure: 4481final

Re.: "Final" text

Dear Mr. Bellerino,

I attach herewith the "final" text for approval prior to filing and, if you believe it appropriate, please forward it to Dr. Melchi.

OMISSIS

A. Fezzardi

Studio Ferrario

Da: "Oscar Bellerino" <oscarbellerino@nteam.it>
A: "Antonio Fezzardi" <info@studioferrario.it>
Data invio: giovedì 10 aprile 2003 12.55
Allega: Rev4481finale.doc
Oggetto: Revisione del Documento finale Word

Egr. Ing. Fezzardi,

Le invio il documento revisionato da me e dal Dr. Melchi.

Come concordato le modifiche sono in grassetto e sottolineate.

La chiamerò nel pomeriggio per assicurarmi che lo abbia ricevuto e per avere da Lei le prime valutazioni di merito e, se possibile fissare un appuntamento per la stesura definitiva.

Ringraziandola ancora per la sua preziosa collaborazione, cordialmente La saluto.

Oscar Bellerino

ENGLISH TRANSLATION

From Bellerino

To Fezzardi / Studio Ferrario

10 April 2003

Enclosure: Rev4481final

Re.: Final revision of document in word format

Dear Mr. Fezzardi,

I attach herewith the document revised by Dr. Melchi and myself.

As agreed, amendments are in bold and underlined characters.

I will phone you in the afternoon to make sure that you received everything and to have the first comments and if possible to schedule a meeting in order to draft the final version.

OMISSIS

Oscar Bellerino

91
15, 16 17 37
10, 21 38
25 26
10/04/03



PCT

POWER OF ATTORNEY

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request):

MELCHI, Carmelo Francesco
Via dei Monti di Creta, 104
I-00167 - ROMA
ITALY

hereby appoints (appoint) the following person as:

☒ agent

☐ common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

SARPI, Maurizio
STUDIO FERRARIO
Via Collina, 36
I-00187 - ROMA
ITALY

to represent the undersigned before

☒ all the competent International Authorities

☐ the International Searching Authority only

☐ the International Preliminary Examining Authority only

In connection with the international application identified below:

Title of the invention:

Applicant's or agent's file reference: 5005

International application number (if already available):

filed with the following Office ITALIAN PATENT AND TRADEMARK OFFICE as receiving Office
and to make or receive payments on behalf of the undersigned.

Signature of the applicant(s) (where there are several applicants, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs. If such capacity is not obvious from reading the request or this power):

Melchi Carmelo Francesco

Date: _____

Studio Ferrario

FONDATA NEL 1944

BREVETTI DI INVENZIONE • MODELLI • MARCHE

EUROPEAN PATENT ATTORNEYS
COMMUNITY TRADEMARK AGENTS

MINISTERO DELLE ATTIVITA' PRODUTTIVE D.G.S.P.C. Ufficio Ital. Brevetti e Marchi Ufficio G2 - Ufficio Protocollo
15 APR 2004
864154
Prot. N°.....

MAURIZIO SARPI
LINA MANNI
ANTONIO FEZZARDI
M. ANTONIETTA BOTTI
PAOLA SCIONTI

**ACCOMPANYING LETTER TO THE
PCT APPLICATION.**

Ns.Rif.MS/lc/5005

On.le MINISTERO DELLE
ATTIVITA' PRODUTTIVE
Ufficio Italiano Brevetti e
Marchi
Via Molise, 19
I-00187 ROMA RM
DIVISIONE G8 - BREVETTI PCT

Roma, 15 aprile 2004

OGGETTO: Nuova domanda di brevetto internazionale PCT
a nome: PROVINCIA ITALIANA DELLA CONGREGAZIONE DEI FIGLI
DELL'IMMACOLATA CONCEZIONE - ISTITUTO DERMOPATICO
DELL'IMMACOLATA e TECNOTEAM S.R.L.
Inventori e depositanti per gli USA: MELCHI Carmelo
Francesco e BELLERINO Oscar
Titolo: METHOD OF DETECTING AND SHOWING AUTOMATICALLY
CHANGES IN THE NUMBER AND/OR MORPHOLOGY OF SKIN LESIONS
AND APPARATUS FOR CARRYING OUT THE SAME.
Priorità rivendicata: RM2003A000184 del 22.04.2003

In allegato si trasmettono i seguenti documenti, per il deposito della
nuova domanda di brevetto internazionale PCT in oggetto:

- modulo di Request, in triplice copia;
- attestazione del versamento di € 30,99.= sul c/c 668004 per tassa di trasmissione;
- testo di descrizione, rivendicazioni, riassunto e disegni in lingua italiana, in triplice copia;
- No. 13 tavole di disegni in lingua italiana, in triplice copia;
- foglio del calcolo delle tasse, in triplice copia;
- Copia della General Power of Attorney sottoscritta dal legale rappresentante della PROVINCIA ITALIANA DELLA CONGREGAZIONE DEI FIGLI DELL'IMMACOLATA CONCEZIONE - ISTITUTO DERMOPATICO DELL'IMMACOLATA, in triplice copia;
- Power of Attorney sottoscritta da MELCHI Carmelo Francesco in qualità di inventore e depositante per gli USA, un originale e due copie; **Power of Attorney signed by Melchi as inventor and**

Applicant only in US

Si fa riserva di presentazione della ricevuta di pagamento delle tasse, della traduzione del testo di descrizione, rivendicazioni, riassunto e disegni in lingua inglese, della General Power of Attorney sottoscritta dal Legale Rappresentante della TECNOTEAM S.R.L., della Power of Attorney sottoscritta da BELLERINO Oscar in qualità di inventore e depositante per gli USA e del documento di priorità.

Con osservanza
Maurizio SARPI

STUDIO FERRARIO DI MAURIZIO SARPI VIA COLLINA, 36 I - 00187 ROMA	TEL. +39 064888051 +39 064820235/6 +39 064827848 +39 064884225 FAX +39 064746149	BANCHE: • BANCA NAZIONALE DEL LAVORO - AG. 5 ROMA CIN: P ABI: 01005 CAB: 03205 C.C.N. 000000011876 IBAN: IT88P0100503205000000011876 SWIFT BIC: BNLIITRR • U.S. \$: BANCA DI ROMA - AG. 116 ROMA/ACC. N. USD000361520 IBAN: IT81V0300203260USD000361520 BIC CODE: BROMITDCEN	E-MAIL AND WEB ADDRESS: info@studioferrario.it www.studioferrario.it C.F. SRPMRZ41D18H501E P.IVA 07283140585

PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum) 5005

Box No. I TITLE OF INVENTION
METHOD OF DETECTING AND SHOWING AUTOMATICALLY CHANGES IN THE NUMBER AND/OR MORPHOLOGY OF SKIN LESIONS AND APPARATUS FOR CARRYING OUT THE SAME.

Box No. II APPLICANT ☐ This person is also inventor

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

PROVINCIA ITALIANA DELLA CONGREGAZIONE DEI
FIGLI DELL'IMMACOLATA CONCEZIONE - ISTITUTO
DERMOPATICO DELL'IMMACOLATA
Via dei Monti di Creta, 104
I-00167 - ROMA - ITALY

Telephone No.

Facsimile No.

Teleprinter No.

Applicant's registration No. with the Office

State (that is, country) of nationality:
ITALY

State (that is, country) of residence:
ITALY

This person is applicant
for the purposes of:

☐ all designated
States

☒ all designated States except
the United States of America

☐ the United States
of America only

☐ the States indicated in
the Supplemental Box

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

TECNOTEAM S.R.L.
Via Carlo Poma, 5
I-00040 - POMEZIA (RM)
ITALY

This person is:

☒ applicant only

☐ applicant and inventor

☐ inventor only (If this check-box is
marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:
ITALY

State (that is, country) of residence:
ITALY

This person is applicant
for the purposes of:

☐ all designated
States

☒ all designated States except
the United States of America

☐ the United States
of America only

☐ the States indicated in
the Supplemental Box

☒ Further applicants and/or (further) inventors are indicated on a continuation sheet.

Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE

The person identified below is hereby/has been appointed to act on behalf
of the applicant(s) before the competent International Authorities as:

☐ agent

☐ common
representative

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

SARPI Maurizio
STUDIO FERRARIO
Via Collina, 36
I-00187 - ROMA
ITALY

Telephone No.

+39-06-4888051

Facsimile No.

+39-06-4746149

Teleprinter No.

Agent's registration No. with the Office

☐ Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Continuation of Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)*If none of the following sub-boxes is used, this sheet should not be included in the request.*

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

MELCHI, Carmelo Francesco
Via dei Monti di Creta, 104
I-00167 - ROMA - ITALY

This person is:

- ☐ applicant only
☒ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:
ITALY

State (that is, country) of residence:
ITALY

This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

BELLERINO, Oscar
Via Carlo Poma, 5
I-00040 - POMEZIA (RM)
ITALY

This person is:

- ☐ applicant only
☒ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:
ITALY

State (that is, country) of residence:
ITALY

This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only
☐ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:

State (that is, country) of residence:

This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only
☐ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:

State (that is, country) of residence:

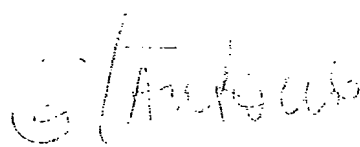
This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

☐ Further applicants and/or (further) inventors are indicated on another continuation sheet.

studio ferrario

Da: "Oscar Bellerino" <oscbel@libero.it>
A: <info@studioferrario.it>
Data invio: venerdì 13 agosto 2004 14.19
Allega: Technical Features.doc
Oggetto: Doc Pct



Egr. Ing. Fezzardi,

seguendo il suo consiglio, ho provato ad estrarre dai documenti un semplice elenco di modalità operative che possono essere utili a meglio definire le technical features concettuali.

Ho letto i due documenti .PDF che lei ha inviato ieri, e mi sembrano buoni.

Proporrei di associare l'aggettivo " automatico " al termine " confronto " quando questo identifica la funzione operativa di nostro interesse
ad esempio Pag 31 Claims 3. letter g) comparing.....

Le invio questa pagina riassuntiva relazionabile a quel set di immagini commentate che le ho già inviato, sperando che sia utile.

Ho appuntamento con il Dr. Melchi alle 12, per le ultime osservazioni congiunte al suo documento.

La chiameremo verso le ore 13 , o subito dopo pranzo.

Grazie ancora per la sua collaborazione.

Oscar Bellerino

ENGLISH TRANSLATION

From Oscar Bellerino
To Studio Ferrario

13 August 2004

Enclosure: Technical features

Re.: PCT

Dear Mr. Fezzardi,

As you suggested, I tried to extract from the documents a list of operative steps to better define technical features.

OMISSIS

I have an appointment with Dr. Melchi at 12am for our final mutual comments on your document.

I will phone you around 1pm or just after lunch.

Thank you again for your co-operation.

Oscar Bellerino

studio ferrario

Da: "melchi" <f.melchi@idi.it>
A: <info@studioferrario.it>
Data invio: lunedì 15 novembre 2004 14.45
Allega: Considerazioni sulla confutazione di D1.doc; Rivendicazione 2.doc; Revisione brevetto.doc
Oggetto: brevetto idi nei

Egregio Ing.Fezzardi
le invio come d'accordo i file richiesti
Cordiali saluti
Dott.Melchi

ENGLISH TRANSLATION

From F. Melchi / IDI

To Studio Ferrario

15 November 2004

Enclosures: Arguments and comments on D1; Claim 2; patent revision

Re.: IDI patent on nevus.

Dear Eng. Fezzardi,

I'm sending you, as agreed, the requested files.

Best regards,

Dr. Melchi

studio ferrario

Da: "Oscar Bellerino" <oscarbellerino@tnteam.it>
A: "Antonio Fezzardi" <info@studioferrario.it>
Data invio: giovedì 18 novembre 2004 17.07
Allega: Technical Features.doc
Oggetto: Approvazione Bozza PCT

Egr. Ing. Fezzardi,

facendo seguito ai colloqui telefonici intercorsi in IDI IRCCS, dopo aver discusso con il Dr. Melchi i due documenti di bozza di risposta alla written opinion per il PCT, da lei inviati ieri in formato.PDF (5005pct1_bozza e correzioni_a_mano), le confermiamo il nostro parere favorevole al documento da lei prodotto, nella forma e nella sostanza.

Voglia quindi procedere ad inoltrarlo alle Funzioni Responsabili, nelle modalità previste.

Come preannunciato, le invio il file Technical Features.doc aggiornato di due righe aggiunte; utilizzi i documenti globalmente inviati nel modo che ritiene opportuno.

Rimanendo a sua disposizione, la ringrazio anche a nome del Dr. Melchi per la sua collaborazione.

Oscar Bellerino
Unità R&S
Tecnoteam Srl

ENGLISH TRANSLATION

From Oscar Bellerino

To Antonio Fezzardi / Studio Ferrario

18 November 2004

Enclosure: Technical Features

Re.: PCT draft approval.

Dear Mr. Fezzardi,

Following telephone conversations at IDI IRCCS, after having discussed with Dr. Melchi the two drafts of reply to the PCT written opinion you sent yesterday in PDF format, we confirm you our favourable opinion on the document you prepared, both as to the form and contents.

Therefore, please transmit it to the legal department according to practise.

As mentioned, I attach the Technical Features newly amended; please use all the documents we have already forwarded as you believe it more appropriate.

We remain at your disposal and thank you again also in the name of Dr. Melchi for your co-operation.

Oscar Bellerino
R&S Unity
Tecnoteam Srl

Studio Ferrario

FONDATA NEL 1944

BREVETTI DI INVENZIONE • MODELLI • MARCHI

CONSULENTI IN PROPRIETÀ INDUSTRIALE

EUROPEAN PATENT, TRADE MARK AND DESIGN ATTORNEYS

MAURIZIO SARPI

LINA MANNI

ANTONIO FEZZARDI

M. ANTONIETTA BOTTI

PAOLA SCIONTI

LETIZIA ANTENUCCI

FRANCESCA MANIERI



Spett.le

PROVINCIA ITALIANA DELLA
CONGREGAZIONE DEI FIGLI
DELL'IMMACOLATA CONCEZIONE -
ISTITUTO DERMOPATICO
DELL'IMMACOLATA

Via dei Monti di Creta, 104
00167 ROMA

c.a. Dott. SACCO

Ufficio Affari Legali

Ns. Rif. 5344-5353/MS/lc

TECHNOTEAM SRL

Direzione Ricerca e Sviluppo

Via Carlo Poma, 5

00040 - POMEZIA (RM)

c.a. Sig. BELLERINO

PER POSTA PRIORITARIA

Roma, 7 OTTOBRE 2005

Oggetto: Domanda internazionale No. PCT/IT04/000217
Deposito fasi nazionali in: USA, CANADA
NUOVA ZELANDA, CINA, GIAPPONE, NORVEGIA
FEDERAZIONE RUSSA, BIELORUSSIA, UCRAINA,

Con riferimento ai Vostri ordini fax datati
15.09.05, 19.09.05 e 22.09.05, siamo a trasmetterVi i
documenti, qui di seguito elencati, necessari al
completamento delle operazioni di deposito, che dovranno
essere restituiti in originale il più presto possibile al
nostro ufficio.

1. USA

- Modulo di Combined Declaration and Power of Attorney che dovrà essere debitamente sottoscritto e datato dagli inventori;
- Modulo di Assignment che dovrà essere sottoscritto e datato dagli inventori;

./...

STUDIO FERRARIO DI MAURIZIO SARPI Via COLLINA, 36 I • 00187 ROMA	TEL. +39 064888051 +39 064820235/6 +39 064827848 +39 064884225 FAX +39 064746149	BANCHE: •BANCA NAZIONALE DEL LAVORO - AG. 5 ROMA CIN: P ABI: 01005 CAB: 03205 C.C.N. 000000011876 IBAN: IT88P0100503205000000011876 SWIFT BIC: BNLITRR • U.S. \$: BANCA DI ROMA - AG. 116 ROMA ACC. N. USD000361520 IBAN: IT81V0300203260USD000361520 BIC-CODE: BROMITRDCN	E-MAIL AND WEB ADDRESS: info@studioferrario.it www.studioferrario.it C.F. SRPMRZ41D18H501E P.IVA 07283140585
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(Con la presente i suddetti due moduli sono trasmessi all'IDI, per l'apposizione della firma da parte dell'inventore di Sua competenza, sarà nostra cura poi ri-trasmetterli alla Tecnoteam SRL per le operazioni di Sua competenza).

2. CANADA

- Modulo di Assignment of invention che dovrà essere debitamente firmato e datato da ciascun inventore in presenza di un testimone, del quale si richiede di indicare in stampatello il nome;

(Con la presente il modulo è trasmesso all'IDI, per l'apposizione della firma da parte dell'inventore di Sua competenza, sarà nostra cura poi ri-trasmetterlo alla Tecnoteam SRL per le operazioni di Sua competenza).

3. NUOVA ZELANDA

- Modulo di Power of Attorney (uno per ciascuno dei titolari) che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

4. CINA

- Modulo di Power of Attorney (uno per ciascuno dei titolari) che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

5. GIAPPONE

- Modulo di Power of Attorney (uno per ciascuno dei titolari) che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

6. NORVEGIA

- Modulo di Power of Attorney (uno per ciascuno dei titolari) che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

- Modulo con il quale i titolari dichiarano che hanno acquisito i diritti sull'invenzione in quanto gli inventori sono loro dipendenti che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

(Con la presente suddetto modulo è trasmesso all'IDI, per l'apposizione della firma da parte del Suo legale rappresentante, sarà nostra cura poi ri-trasmetterlo alla Tecnoteam SRL per le operazioni di Sua competenza).

7. FEDERAZIONE RUSSA

- Modulo di Power of Attorney (uno per ciascuno dei titolari) che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

8. BIELORUSSIA

- Modulo di Power of Attorney (uno per ciascuno dei titolari) che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

9. UCRAINA

- Modulo di Power of Attorney (uno per ciascuno dei titolari) che dovrà essere debitamente sottoscritto e datato dal Vostro legale rappresentante, per il quale si prega di indicare in stampatello il nome e la carica ricoperta;

Vogliate notare che ulteriori indicazioni per facilitare la compilazione dei suddetti documenti sono state annotate a matita su ciascun modulo.

In attesa di un Vostro riscontro in merito a quantop sopra, restiamo a Vostra disposizione per ogni eventuale chiarimento in merito a quanto sopra e inviamo i nostri migliori saluti.

STUDIO FERRARIO



STUDIO FERRARIO headed paper

Our ref. 5344-5353/MS/lc

Messrs.
PROVINCIA ITALIANA DELLA
CONGREGAZIONE DEI FIGLI
DELL'IMMACOLATA CONCEZIONE -
ISTITUTO DERMOPATICO DELL'IMMACOLATA
Via dei Monti di Creta, 104
00167 ROMA
Attn. Dr. SACCO
Legal Department

TECHNOTEAM SRL
R&D Division
Via Carlo Poma, 5
00040 POMEZIA - Rome
Attn. Mr. BELLERINO

PRIORITY MAIL

Roma, 7 October 2005

Re.: International application No. PCT/IT04/000217
National phases in: USA, Canada, New Zealand, China,
Japan, Norway, Russian Fed, Bielorussia, Ukraine.

With reference to your fax orders dated 15.09.05, 19.09.05 and 22.09.05, we are sending you the herein below listed documents necessary to complete filing procedures, which will have to be returned *in original and as soon as possible* to our office.

1. USA

- Form of Combined Declaration and Power of Attorney which will have to be executed and dated by the Inventors;
- Form of Assignment which will have to be signed and dated by the Inventors.

(The above documents are being sent to IDI for signature of his Inventor where appropriate; it will be our care to re-transmit the documents to Tecnoteam SRL for signature of their Inventor).

2. CANADA

OMISSIS

...

Awaiting to hearing from you again in the above matters, we are at your disposal for any further queries and remain

Yours faithfully,
STUDIO FERRARIO

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: AUTOMATIC DETECTION OF SKIN LESIONS

the specification of which: (check one)

REGULAR OR DESIGN APPLICATION

- ☐ is attached hereto.
- ☐ was filed on _____ as application Serial No. _____
and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- ☐ was described and claimed in International application No. PCT/IT2004/000217
filed on 15 APRIL 2004 and as amended on 02 AUGUST 2005 (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing (day, month, year)	Priority Claimed
ITALY	RM2003A000184	22, APRIL, 2003	YES

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional patent application(s) listed below:

Application No.	Filing Date	Status (patented, pending abandoned)
-----------------	-------------	--------------------------------------

(Complete this part only if this is a continuing application.)

I hereby claim the benefit under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status (patented, pending abandoned)
-----------------	-------------	--------------------------------------

Docket No. _____

POWER OF ATTORNEY

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from STUDIO FERRARIO as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

As a named inventor, I hereby appoint the registered patent attorneys represented by Customer No. 000466 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, including: Robert J. PATCH, Reg. No. 17,355, Andrew J. PATCH, Reg. No. 32,925, Robert F. HARGEST, Reg. No. 25,590, Benoît CASTEL, Reg. No. 35,041, Thomas W. PERKINS, Reg. No. 33,027, Roland E. LONG, Jr., Reg. No. 41,949, and Eric JENSEN, Reg. No. 37,855.

c/o YOUNG & THOMPSON
Second Floor
745 South 23rd Street
Arlington, Virginia 22202



00466
PATENT TRADEMARK OFFICE

Address all telephone calls to Young & Thompson at 703/521-2297. Telefax: 703/685-0573.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: MELCHI Carmelo Francesco

Inventor's signature: _____ Date: 2005

Residence: Via dei Monti di Creta, 104 Citizenship: ITALIAN

Post Office Address: I-00167 ROMA ITALY
Via dei Monti di Creta, 104 I-00167 ROMA ITALY

Full name of second joint inventor, if any: BELLERINO Oscar

Inventor's signature: [Signature] Date: 21th of OCTOBER 2005

Residence: Via Carlo Poma, 5 I-00040 POMEZIA Citizenship: ITALIAN

Post Office Address: ROMA ITALY
Via Carlo Poma, 5 I-00040 POMEZIA ROMA ITALY

Full name of third joint inventor, if any: _____

Inventor's signature: _____ Date: _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Full name of fourth joint inventor, if any: _____

Inventor's signature: _____ Date: _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Deed of Assignment (Before Patent)

ASSIGNMENT

WHEREAS, MELCHI Francesco Carmelo and BELLERINO Oscar

have invented certain new and useful improvements in AUTOMATIC DETECTION OF SKIN LESIONS

for which _____ application for Letters
(I/we have made—or am/are about to make)

Patent of the United States of America;

AND WHEREAS, PROVINCIA ITALIANA DELLA CONGREGAZIONE DEI FIGLI DELL'IMMACOLATA CONCEZIONE - ISTITUTO DERMOPATICO DELL'IMMACOLATA and TECNOTEAM S.R.L.

desirous of acquiring an interest therein and in the Letters Patent to be obtained therefor from the United States;

NOW THEREFORE, be it known by all whom it may concern, that for and in consideration of

TEN Dollars (\$ 10)
to _____ in hand paid, the receipt of which is hereby acknowledged _____

have assigned, sold, and set over, and by these presents do hereby assign, sell, and set over unto the said

_____ right, title, and interest in and to the said invention,
as fully set forth and described in the:

Delete
inapplicable
wording

(a) specification prepared and executed by _____ on the _____ day of _____,

(b) application filed on the _____ day of _____, Serial No. _____,

preparatory to obtaining Letters Patent therefor; said invention, application and Letters Patent to be held and enjoyed by the said _____ for _____ own use and behoof, and for _____ legal representatives, to the full end of the term for which said Letters Patent are granted, as fully and entirely as the same would have been held by _____ had this assignment and sale not been made.

IN TESTIMONY WHEREOF, _____ hereunto set _____ hand _____ and affix _____ seal _____ at
ROMA _____ this _____ day of _____, A.D. 2005

_____ Francesco Carmelo MELCHI

(Inventor's full Signature)

BELLERINO Oscar

ROMA This 24th day of OCTOBER A.D. 2005

* State whether the full and exclusive right, or what part of the whole interest is assigned.



PROVINCIA ITALIANA della CONGREGAZIONE DEI FIGLI DELL'IMMACOLATA CONCEZIONE
ISTITUTO DERMOPATICO DELL'IMMACOLATA
Istituto di ricovero e cura a carattere scientifico

Prot. 17/UTT/2005

Roma, 28 novembre 2005

Al Dr. Carmelo Francesco Melchi
IDI-IRCCS

E, p.c.:
Al Consigliere Delegato
Dr. Franco Decaminada

Ai Coordinatori del Centro di Coordinamento Attività di Ricerca
Prof. ssa L. Korkina
Dr. M. C. Capogrossi

All'Ufficio Legale
Dr. A. Sacco

Oggetto: domanda di brevetto USA e Canada "Automatic detection of skin lesion"
PCT/IT2004/000217
Inventori: MELCHI (IDI-IRCCS) - BELLERINO (TECNOTEAM)

In merito alla domanda di brevetto in oggetto si informa che lo Studio Ferrario ha inviato i seguenti documenti:

- Modulo di Combined Declaration and Power of Attorney (USA);
- Modulo di Assignment (USA);
- Modulo di Assignment of inventino (Canada)

già debitamente sottoscritti dal Sig. Oscar BELLERINO.

Detti documenti sono custoditi presso lo scrivente Ufficio e, una volta da Lei firmati, devono essere rimandati allo Studio Ferrario per essere inoltrati ai rispettivi uffici nazionali.

Mi preme segnalare che l'Ing. Fezzardi ha precisato che le domande in USA e Canada stanno facendo il loro corso regolare e che **quanto prima** gli uffici competenti chiederanno di integrare la domanda con questo documento, ancora mancante.

Il mancato invio del documento comporterebbe il decadimento della domanda nei due stati.

Rimando a disposizione per qualsiasi ulteriore informazione, porgo
Cordiali saluti

Elisabetta Agostini
Dr.ssa Elisabetta Agostini
Ufficio Trasferimento Tecnologico
Centro di Coordinamento Attività di Ricerca

00167 Roma - Via dei Monti di Creta, 104 - Tel. 06 66.461

IDI HEADED PAPER

Reg. N. 17/UTT/2005

Rome, 28 November 2005

To Dr. Carmelo Francesco Melchi
IDI-IRCCS

C.C.
To the Managing Counsellor
Dr. Franco Decaminada

To the Coordinators of The Research Coordination Centre
Professor L. Korkina
Dr. M.C. Capogrossi

To the Legal Office
Dr. A Sacco

Re: Patent Application in USA and CANADA
"Automatic detection of skin lesion"
PCT/IT2004/000217
Inventors: MELCHI (IDI-IRCCS) - BELLERINO (TECNOTEAM)

With reference to the patent application in object please be informed that Studio Ferrario sent us the following documents:

- Combined Declaration and Power of Attorney Form (USA);
- Assignment Deed (USA);
- Assignment of Invention Form (CANADA);

already undersigned by Mr. BELLERINO Oscar.

Said documents are kept by the undersigning office and, when undersigned, they must be sent back to Studio Ferrario in order to be forwarded to corresponding national offices.

Please be informed that Ing. Fezzardi explained us that the US and Canadian applications are following their common procedure and the competent authorities will soon ask to file the missing documents.

Failure to file the missing documents will result in the withdrawal of the applications in the two countries.

We are at your disposal for any further information and remain

Yours truly,

Dr. Elisabetta Agostini
TECHNOLOGY TRANSFER OFFICE
RESEARCH COORDINATION CENTRE



PROVINCIA ITALIANA della CONGREGAZIONE DEI FIGLI DELL'IMMACOLATA CONCEZIONE
ISTITUTO DERMOPATICO DELL'IMMACOLATA
Istituto di Ricovero e Cura a Carattere Scientifico

Prot. 30/UTT/2006

Roma, 18 ottobre 2006

Al Dr. Francesco Melchi

E, p.c.:
Al Coordinatore dei Laboratori di Ricerca
Prof. L. Korkina

All'Ufficio Legale
Dr. A. Sacco

OGGETTO: domanda di brevetto in CANADA e USA
Fasi nazionali del PCT/IT04/000217

Gentilissimo Dr. Francesco Melchi,
come Lei ben sa, il deposito della domanda di brevetto nei due paesi citati in oggetto deve essere completata consegnando, debitamente firmati dagli Inventori, i seguenti documenti:

- Modulo di Combined Declaration and Power of Attorney (USA);
- Modulo di Assignment (USA);
- Modulo di Assignment of Invention (CA).

Le rinnoviamo pertanto l'invito a firmare tali documenti, invitandoLa a comunicare per iscritto la Sua disponibilità in tal senso allo scrivente Ufficio entro e non oltre il giorno 26 ottobre 2006.

Come per altro anticipatoLe oralmente dal Dott. Sacco, nell'incontro del 10 ottobre 2006, se entro tale data non giungesse alcuna comunicazione da parte Sua, procederemo secondo quanto indicatoci dallo Studio Ferrario, che segue il brevetto, fornendo agli uffici competenti una dichiarazione sostitutiva da parte del Titolare della domanda.

Confidando nella Sua collaborazione, Le porgiamo

Distinti saluti

Elisabetta Agostini
Dr.ssa Elisabetta Agostini
Ufficio Trasferimento Tecnologico
Centro di Coordinamento Attività di Ricerca

*Per riavere
Melchi
18-10-06*

IDI headed paper

Reg. N. 30/UTT/2006

Rome, 18 October 2006

To Dr. Carmelo Francesco Melchi
IDI-IRCCS

c.c.

To the Coordinator of The Research Coordination Centre
Professor L. Korkina

To the Legal Office
Dr. A Sacco

Re: Patent Application in USA and CANADA
National Phases of PCT/IT2004/000217

Dear Dr. Francesco Melchi,
As you well know, the filing procedure of the patent applications in the two countries specified in object must be completed by filing the following documents, duly undersigned by the Inventors:

- Combined Declaration and Power of Attorney Form (USA);
- Assignment Deed (USA);
- Assignment of Invention Form (CANADA);

We again kindly invite you to undersign said documents, and to communicate in writing to the present office your willingness in this regard not later than October 26, 2006.

As previously anticipated orally by Dr. SACCO, in the meeting of October 10, 2006, if we do not receive any communication by you within said deadline, we will proceed following the indications of Studio Ferrario, by filing at the competent offices a corresponding declaration by the Applicant.

Trusting in your collaboration and remain
Best regards,

Dr. Elisabetta Agostini
TECHNOLOGY TRANSFER OFFICE
RESEARCH COORDINATION CENTRE

As Receipt thereof 18.10.2006
SIGNATURE
Melchi Francesco



PROVINCIA ITALIANA della CONGREGAZIONE DEI FIGLI DELL'IMMACOLATA CONCEZIONE
ISTITUTO DERMOPATICO DELL'IMMACOLATA
Istituto di Ricovero e Cura a Carattere Scientifico

Prot. **34** /UTT/2006
PER RACCOMANDATA A/R

Roma, 7 novembre 2006

Egr.Dott.
MELCHI Carmelo Francesco
Via della Balduina, 120
00136 ROMA

E, p.c.: Ufficio Legale IDI-IRCCS
Dr. Antonello Sacco

Oggetto: Domanda di brevetto in U.S.A. No. 10/553,996
depositata il 15 aprile 2005
Fase Nazionale del PCT/IT04/000217
Inventori: MELCHI Carmelo e BELLERINO Oscar

Gentilissimo Dr. Francesco Melchi,

A seguito della nostra lettera del 18.10.2006, per la quale non abbiamo ricevuto alcun riscontro da parte Sua, siamo nuovamente ad invitarLa alla sottoscrizione dei documenti necessari per il completamento della procedura di deposito della domanda in USA, specificata in oggetto.

Pertanto troverà in allegato la documentazione qui di seguito elencata:

- Transmittal Letter To US Designated/Elected Office Concerning A Filing Under 35U.S.C. 371;
- Application Data Sheet;
- Information Disclosure Statement;
- Preliminary Amendments;
- **Combined Declaration and Power of Attorney and Assignment**
- Pubblicazione N. WO2004/095372

In assenza di Suo riscontro in merito a quanto sopra lo STUDIO FERRARIO provvederà alla preparazione ed il deposito di una dichiarazione secondo

la Rule 1.47(a) al fine di poter continuare correttamente, anche in assenza della Sua firma, l'iter brevettale della domanda USA in oggetto.

Alla luce di quanto sopra, siamo a richiederLe di restituirci debitamente firmato il documento sopra indicato in grassetto.

In attesa di un Suo immediato riscontro inviamo distinti saluti.

Elisabetta Agostini

Dr.ssa Elisabetta Agostini
Ufficio Trasferimento Tecnologico
Centro Coordinamento Attività di Ricerca IDI-IRCCS

Allegati inclusi solo nell'originale

IDI Headed paper

Prot. 24/UTT/2006
BY RETURN REGISTERED MAIL

Rome, 7 November 2006

Dr.
MELCHI Carmelo Francesco
Via della Balduina, 120
00136 ROMA

C.C.
To the Legal Office
Dr. Antonello Sacco

Re: Patent Application in USA No. 10/553,996
filed on 15 April 2005
National Phase of PCT/IT2004/000217
Inventori: MELCHI Carmelo and BELLERINO Oscar

Dear Dr. Francesco Melchi,

Following our letter of 18 October 2006, for which we have not receipt any reply from your side, we are again asking you to undersign the necessary documents to complete filing procedure of the above US patent application.

Therefore you will find attached the following documents:

- Transmittal Letter To US Designated/Elected Office Concerning A Filing Under 35U.S.C. 371;
- Application Data Sheet;
- Information Disclosure Statement;
- Preliminary Amendments;
- **Combined Declaration and Power of Attorney and Assignment**
- Publication No. WO2004/095372

In absence of your reply to the above matter, Studio Ferrario will prepare and file a declaration according to Rule 1.47(a) in order to correctly prosecute, even lacking of your signature, the US patent application in object.

In view of the above, please return us the above document in bold characters duly executed.

Awaiting to hearing from you promptly, we remain
Yours very truly,

Dr. Elisabetta Agostini
TECHNOLOGY TRANSFER OFFICE
IDI RESEARCH CORDINATION CENTRE

N. Raccomandata

REGISTERED MAIL



11783088831-4

Mod. 22 - R

cod. 008150

POSTE ITALIANE S.p.A.

Accettazione RACCOMANDATA

RICEVUTA

È vietato includere denaro e valori nelle raccomandate: Poste Italiane S.p.A. non garantiscono.

Compilare, a cura del mittente, a macchina o in carattere stampatello

DESTINATARIO	MELCHI FRANCESCO	
	VIA della BALDWINA 120	
MITTENTE	VIAPIAZZA 00136 ROMA	N. CIV. 120
	COMUNE ROMA	PROV. RM
SERVIZI ACCESSORI RICHIESTI Contrasegnare la casella interessata		
<input type="checkbox"/> Espresso <input type="checkbox"/> Via aerea <input checked="" type="checkbox"/> A.R. <input type="checkbox"/> Assegno L. (in lire):		

Sez.21

Num.Oper. 86

ROMA AURELIO 55/121 07/11/06 12.27 Fraz.55121
Tariffa € 6,95 Affr. € 6,95 AR

Bollo
(accettazione manuale)

Tasse

Registered mail
Forwarding Receipt

To be delivered to

Sender

Return mail

Sent on
November 7, 2006 12.27am

RECEIPT ACKNOWLEDGEMENT

Avviso di ricevimento

☒ Raccomandata ☐ Pacco
☐ Assicurata Euro _____

11483088831 4
 Numero

Data di spedizione _____ Dall'ufficio postale di _____

Addressee

Destinatario MELCHI FRANCESCO

Via della BALDUINA 120

C.A.P. 00136 Località ROMA

** Receiving person

date

Postman

Firma per esteso del ricevente
 (Nome e cognome)

Data

Firma dell'incaricato alla distribuzione

Bollo dell'ufficio
 di distribuzione

☐ Consegna effettuata ai sensi dell'art. 33 D.M. 09.04.01:
 • Invii multipli a un unico destinatario
 • Sottoscrizione rifiutata

November 8, 2006

** Person answering at the door (home)

CARD REAR SIDE.

CARD FRONT SIDE.

Posteitaliane

Avviso di ricevimento
 Mod. 23-I/P Cod. W8402E - L2

Receipt Acknowledgement

To be returned to

Da restituire a AGOSTINI ELISABETTA
IDI - IRCCS
 Via VIA dei MONTI di CRETA 104
00167 ROMA
 C.A.P. Località Provincia

Ref. 2507-1074

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

MELCHI Carmelo Francesco ET AL EXAMINER:

APPLICATION SERIAL NO. 10/553,996
INTERNATIONAL APPLICATION NO. PCT/IT04/00217 FILED: APRIL
15, 2004

FILED October 21, 2005 PRIORITY DATE: APRIL
22, 2003

FOR: AUTOMATIC DETECTION OF SKIN LESIONS.

DECLARATION

TO THE COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

I the undersigned, Elisabetta AGOSTINI, Italian citizen residing at Via dei Monti di Creta, 104, 00167 Rome, Italy, c/o Provincia Italiana della Congregazione dei Figli dell'Immacolata Concezione - Istituto Dermopatico dell'Immacolata, in view of my profession, do hereby declare the following in response to the Notification of Missing Requirements Under 35 U.S.C. 371 issued on October 2, 2006 in relation to the above identified U.S. patent application.

I am a coordinator in the Technology Transfer Office in the Research Coordination Center of Provincia Italiana della Congregazione dei Figli dell'Immacolata Concezione - Istituto Dermopatico dell'Immacolata and have been in charge, since 2005, of all the contacts and correspondence with Mr. Carmelo Francesco MELCHI co-Inventor, together with Mr. Oscar BELLERINO, of the above mentioned patent application.

I declare herewith that on 7 October 2005 Studio Ferrario, the IP firm representing us before the Italian Patent Office and the International Authorities, sent us a letter requesting execution of the Combined Declaration and Power of Attorney form and the Assignment by Mr. Carmelo Francesco MELCHI, employed by our Institute, in order to complete filing procedure of the above U.S. patent application; a copy of said letter was sent also to Tecnoteam Srl for execution of the same papers by the other co-Inventor Mr. Oscar Bellerino, employed by this latter company (a copy of said letter is attached to the Declaration by Mr. Maurizio Sarpi and Mr. Antonio Fezzardi, together with an English translation thereof).

I therefore immediately verbally asked Mr. Melchi to come to my office and execute the necessary documents. After many reminders, Mr. Melchi verbally informed me that he did not intend to sign the above necessary documents.

On 21 November 2005 Studio Ferrario sent us a further letter enclosing the Combined Declaration and Power of Attorney form and the Assignment already executed by the co-Inventor Mr. Oscar Bellerino, again requesting for signature of Mr. Carmelo Francesco Melchi (a copy of said letter is attached to the Declaration by Mr. Maurizio Sarpi and Mr. Antonio Fezzardi, together with an English translation thereof).

Thus, on 28 November 2005 I sent a letter (Prot. 17/UTT/2005) to Mr. Melchi informing him that I received the above documents signed by Mr. Bellerino and asking him to come to my office and sign them in order to return them to

Studio Ferrario who would then transfer them to the competent offices (a copy of said letter is attached to the Declaration by Mr. Maurizio Sarpi and Mr. Antonio Fezzardi, together with an English translation thereof).

Dr. Carmelo Francesco MELCHI never came to my office to sign the missing documents.

On 10 October 2006, in a meeting with Dr. Antonello Sacco, of the Legal Office of Provincia Italiana della Congragazione dei Figli dell'Immacolata Concezione - Istituto Dermopatico dell'Immacolata, Dr. Carmelo Francesco Melchi and myself, it is again requested to Dr. Melchi to sign the missing documents informing him that lack of signature would have forced the legitimate Applicants (the Assignees) to further prosecute according to Law in order to avoid refusal of the U.S. application.

On 18 October 2006 a letter signed by the undersigned is hand-delivered to Dr. Melchi, who countersigned the letter as receipt thereof, wherein it is requested that he signs the missing documents within 26 October 2006 (a copy of said letter is attached to the Declaration by Mr. Maurizio Sarpi and Mr. Antonio Fezzardi, together with an English translation thereof).

Up to now Dr. Melchi has not signed any document to allow prosecution of the above U.S. patent application nor has he given any comments in this matter.

Therefore, as specifically requested by Studio Ferrario, on 7 November 2006 we sent a return registered mail to Dr. Melchi again asking him to execute the necessary

documents to complete application papers for U.S. and again enclosing complete documents and information concerning papers as filed with USPTO, i.e. Transmittal Letter To US Designated/Elected Office Concerning A Filing Under 35U.S.C. 371, Application Data Sheet, Information Disclosure Statement, Preliminary Amendments, publication pamphlet of the corresponding PCT application N. WO2004/095372, together with the Combined Declaration and Power of Attorney and the Assignment (a copy of said letter is attached to the Declaration by Mr. Maurizio Sarpi and Mr. Antonio Fezzardi, together with an English translation thereof).

Said letter of 7 November 2006~~0~~ No. 11783088831-4 was sent to the current address of Dr. Melchi at Via della Balduina, 120 I-00136 ROME and it was received on 8 November 2006 as clearly indicated in the Receipt of Acknowledgement, signed by the person to whom the postman actually delivered the registered letter, at the above address. According to the Italian Post Office mail practice the registered mail would never be delivered to a person who is not acquainted with the addressee and confident with the home premises (a copy of said registered mail receipt No. 11783088831-4 and a copy of the Return Receipt Acknowledgement are attached to the Declaration by Mr. Maurizio Sarpi and Mr. Antonio Fezzardi, together with an English translation thereof).

In view of the above, I believe that proof of a bona fide attempt was made and any diligent effort was put forward to present a copy of the application papers (specification, including claims, drawings, and declaration) to non-signing Inventor Mr. Carmelo Francesco MELCHI for execution should be recognized and to this purpose I respectfully request that the application may proceed in the name of the other

Inventor, Mr. Oscar BELLERINO on behalf of himself and the non-signing Inventor.

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Further declarant saith not.

Elisabetta Agostini
Elisabetta AGOSTINI

05 / 02 / 2007
Date